

Article - Business Regulation

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§6–501.

(a) An agreement between a charitable organization and a fund–raising counsel or professional solicitor and any subcontract or other contract in furtherance of such an agreement shall be in writing.

(b) A fund–raising counsel or professional solicitor shall submit to the Secretary of State a copy of all agreements under subsection (a) of this section on or before the earlier of:

(1) the tenth day after the agreement is made; or

(2) the start of a charitable solicitation.

(c) The text that a professional solicitor or associate solicitor uses in a charitable solicitation shall be attached to the agreement and shall include:

(1) the name of the charitable organization for which the charitable solicitation is made;

(2) the specific charitable purpose that is to be advanced with charitable contributions as shown in the registration statement; and

(3) a statement that the person who solicits charitable contributions:

(i) is a paid fund–raiser; and

(ii) on request, will provide a copy of the charitable organization’s financial statement.

(d) An agreement between a professional solicitor, fund–raising counsel, or charitable organization and a person engaged to receive or hold contributions resulting from a professional solicitor or fund–raising counsel agreement shall be attached to the professional solicitor or fund–raising counsel agreement filed with the Secretary of State.

(e) An agreement between a charitable organization and a fund–raising counsel or professional solicitor may not contain a provision that states:

(1) that the charitable organization may not use contributions from a solicitation for its charitable purposes until some or all fund-raising expenses have been paid; or

(2) that the professional solicitor or fund-raising counsel may engage in a direct mail or other solicitation in the charity's name for the purpose of paying or offsetting preexisting fund-raising expenses.

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